

# Exhibit A

CLINICAL  
BULLETIN

No. 6



Tiffani K. Hamilton, M.D.

## Photo-rejuvenation Using Combination Laser Therapies from Candela

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### Introduction

For patients concerned with looking younger, looking healthier, and looking better, there is a plethora of lasers today offering a wide variety of noninvasive means to improve the appearance of one's skin. Modern lasers can provide everything from wrinkle reduction and scar revision to vascular and pigmented lesion removal, all with minimal downtime and patient discomfort.

"Photo-rejuvenation" is the term most often used to describe the desired result of improving these multiple skin anomalies using light-based therapy; and while promises of the proverbial "Fountain of Youth" are still a bit premature, current capabilities treating "aged skin" are not insignificant.

However, no one laser or light-based system can treat all the above-mentioned conditions, and individual response to specific laser treatments varies from individual to individual.

Still, as experience grows treating these varied skin disorders, it now appears some sort of combination approach—using multiple lasers to affect multiple therapeutic responses—may hold the best possibility of providing overall improvement in the appearance of one's skin.

This paper discusses the combined use of three different lasers of varying wavelengths to demonstrate "photo-rejuvenation" and scar improvement—the pulsed dye Vbeam® laser (595 nm), the GentleLASE® alexandrite laser (755 nm), and the GentleYAG™ laser (1064 nm).

### Method

Each patient was treated with all three lasers during the same session. The Vbeam was used first so the telangiectasias were not obscured by any redness induced by the other lasers. The GentleLASE was used next and the GentleYAG last. The reason I chose the GentleYAG last was because it is the least well tolerated and if done before the GentleLASE, the patients were less likely to complete all three lasers. Ela-Max® was applied 30 minutes prior to the treatment and washed off completely before beginning. The settings were as follows: Vbeam 10 mm spot, 7.5 J/cm<sup>2</sup>, 20 msec pulse duration, DCD 30/20; GentleLASE 12 mm spot, 40 J/cm<sup>2</sup>, DCD 60/50; and GentleYAG 12 mm spot, 30 J/cm<sup>2</sup>, DCD 50/40.

For patients with Types IV and V skin, the GentleLASE was not used. The Vbeam and GentleYAG were used without side-effects in those individuals although hyperpigmentation can occur with the Vbeam in pigmented skin. Facial edema was occasionally seen for one to four days following treatment, which was minimized on subsequent sessions with elevation while sleeping and by applying ice packs the first day. No scarring or pigmentation abnormalities have been seen to date in my patients.



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## Results

**Case 1:** A 41-year-old female with solar lentigines, enlarged pores, fine lines, and telangiectasias was treated with three sessions at monthly intervals, resulting in reduction in lentigines, minimization of fine lines around the eyes, and decreased pore size on the nose and chin. The patient rated the improvement as good.

**Case 2:** A 61-year-old female with photo-aging and prominent vascular ectasias was treated with one session, resulting in good reduction in vascular lesions. The patient also reported better overall skin texture, although no clinical wrinkle improvement was seen after one session. The patient was satisfied with the results and declined further sessions.

## Discussion

The benefit of a multiple laser treatment regime is easily explained. Quite simply, more than one condition is being treated, resulting in that overall "photo-rejuvenation" effect. Multiple chromophores are differentially targeted using varying wavelengths of energy. The "rejuvenation" experienced by patients is actually a combined result from improvements in pigmentation, vascular, wrinkle reduction, pore shrinkage, and even hair removal.

Even for specific indications—wrinkle reduction, for example—using multiple lasers appears advantageous. The mechanism of action for laser wrinkle reduction appears to be the creation of a thermal injury within the dermis, resulting in the generation of new connective tissue which literally "pushes" the wrinkle from the inside out. The exact depth and

extent of that thermal injury created are wavelength-dependent. Therefore, using more than one laser to initiate collagen remodeling at various depths within the skin seems to have some benefit.

What is less quantifiable but no less readily observable is the symbiotic benefits of using multiple lasers to effect these results. Clinically, it appears that overall photo-rejuvenation is heightened when multiple wavelengths are incorporated.

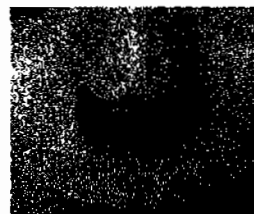
The use of the Candela Vbeam (595 nm), GentleLASE (755 nm), and GentleYAG (1064 nm) lasers seems to stretch across the absorption spectrum of enough chromophores to result in the improvement of a variety of conditions contributing to aged skin. The "photo-rejuvenation" experienced is impressive as we gain ground on the proverbial Fountain of Youth.



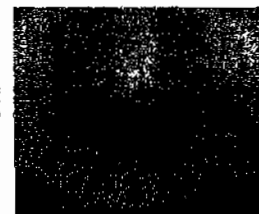
*Case 1—Pretreatment*



*Post-treatment*



*Case 2—Pretreatment*



*Post-treatment*

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# Exhibit B

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CANDELA CORPORATION,	:	
	:	
Plaintiff,	:	M-8-85
	:	
- v -	:	<u>MEMORANDUM AND ORDER</u>
	:	
PALOMAR MEDICAL TECHNOLOGIES, INC.,	:	
	:	
Defendant.	:	

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McKENNA, D.J.,

Plaintiff moves for an order compelling Kenneth O. Rothaus, M.D., a non-party resident of this district, to produce documents described in a subpoena duces tecum to him issued in this district.<sup>1</sup> The documents sought, in ten categories described in the subpoena, some of which plainly call for medical records of patients, are extensive, and, in the context revealed by the motion, the subpoena, to a non-party practicing physician, is burdensome and oppressive.

Dr. Rothaus is to produce, prior to his deposition, copies of (i) all communications, or documents recording communications, between himself and defendant, and (ii) copies of all documents reflecting his teaching activities at seminars and

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<sup>1</sup> In the underlying action, pending in the United States District Court for the Eastern District of Texas, plaintiff claims that defendant is infringing three patents which describe "methods and apparatuses for wrinkle treatment and skin rejuvenation" (Plaintiffs' Second Amended Complaint for Patent Infringement, ¶ 12) or "methods for wrinkle treatment and skin rejuvenation." (Id. ¶¶ 19, 26.)

the like, in each case for the period beginning January 1, 2000. Sufficient information can be gathered from oral questioning of Dr. Rothaus at his deposition about his use of the methods and apparatuses claimed to be infringed. The Court is not persuaded that plaintiff needs the information sought about specific patients' cases.

The motion to compel is granted to the extent set forth in the preceding paragraph and otherwise denied.

SO ORDERED.

Dated: February 21, 2008

  
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Lawrence M. McKenna  
U.S.D.J.  
Part I